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Agriculture, Wildlife & Rural Affairs	
County	**Pitkin**
Issue	Permission for local jurisdiction for permitting of hemp grows instead of the Colorado Department of Agriculture
Background	Industrial hemp is regulated by the Department of Agriculture and does not require any consultation or permission from local jurisdictions. While local governments can zone where agricultural activities take place, zoning is an ineffective tool with regards to industrial hemp because the goal is not to restrict all agricultural production in certain zone districts, but instead to have a refined scalpel approach to where industrial hemp may be grown as it has certain nuisance effects such as odor. In a zone where agricultural activity is appropriate, growing industrial hemp may not be, such as next to a school or in a relatively dense residential neighborhood.
Proposed Solution	Allow local jurisdictions the ability to permit industrial hemp in the same way that medical and recreational marijuana grows require conference with local governments. This is a permissive change that enhances local control and does not violate any Right to Farm policies. A special use permit could be allowable under zoning regulations, but without a referral by the Department of Agriculture, there is no notification that the use is being requested and there is no opportunity for local governments to weigh in with the department on whether the location is appropriate.
Fiscal Impact	None
Potential Proponents/Opponents	local governments, schools/agriculture producers
***Risk Difficulties**	
****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Priority Ranking	2
Legislator Support/Interest	

General Government	
County	**Jefferson**
Issue	Surveyor as Elected Position
Background	State statute requires county surveyors to be an elected position. Jefferson County would like to pursue eliminating this position as an elected position.
Proposed Solution	Change statute to allow a county to opt-in eliminating the position as an elected position and to either: **a)** Allow county commissioners the ability to appoint a Surveyor, or

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	b) Allow county commissioners, by way of annual appointment resolution, delegate responsibilities (as currently outline in statute) to a county staff position.
Fiscal Impact	Based on current salary structure, as outlined in statute, counties could potentially see a salary expenditure reduction, associated with elected official salary requirements.
Potential Proponents/Opponents	Will need to do more research re: potential proponents/opponents
***Risk/Difficulties**	
****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Ranking Priority	
Legislator Support/Interest	
County	**Larimer**
Issue	Authorizing counties to require and issue business licenses. State statute allows municipalities to require business licenses for any lawful business operating inside incorporated city/town limits; however, this same authority is not granted to county governments. This proposal is in alignment with the Board of Commissioners' Legislative Position Guide statement on County Powers: "Larimer County supports continued refinement of the powers and authority for the functional home rule option and for the statutory counties by continuing the review of additional ordinance authority to deliver services at the grassroots level closest to the people."
Background	The ability to issue business licenses in unincorporated areas of counties would enhance a county's ability to track business activities to establish a level playing field for businesses operating inside and outside city and town limits, enhance consumer protection from fraudulent activities, ensure equitable tax liabilities among similar businesses, and provide counties the tools to ensure public health, safety and welfare. If counties could license businesses, they would be better able to ensure that business uses are compatible with land use and zoning ordinances, floodplain regulations and building code requirements. County business licensing would enable more targeted economic development efforts and aid in planning for future transportation needs and workforce housing. A similar bill introduced in the 2020 legislative session, which was amended to apply only to short-term lodging rentals, was signed into law by Governor Polis and takes effect in September 2020.

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Proposed Solution	30-15-401. General regulations - definitions. (1) In addition to those powers granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of this article 15, the board of county commissioners may adopt ordinances for control or licensing of those matters of purely local concern that are described in the following enumerated powers: (T) TO LICENSE AND REGULATE ANY BUSINESS LOCATED OR BUSINESS ACTIVITY OCCURRING WITHIN THE COUNTY, AND TO FIX THE FEES, TERMS, AND MANNER FOR ISSUING AND REVOKING LICENSES ISSUED THEREFOR.
Fiscal Impact	According to the 2020 Fiscal Note on the bill, there will be no fiscal impact to the state of Colorado. Local fiscal impacts depend on whether counties choose to participate and how they set license fees if they do. Fees would need to be set to cover the cost of administering the licensing program or it would cause a negative fiscal impact to county budgets. The bill may result in additional sales tax revenue for counties.
Potential Proponents / Opponents	Supporters of the 2020 proposal included Summit, Pitkin, and Park Counties. Opponents included Chambers of Commerce, economic development organizations, realtors, farm bureaus and similar organizations. No discussions have yet been held with prospective proponents/opponents.
***Risk/ Difficulties**	
****Commissioner Role/Importance**	Staff recommends that the Board of Larimer County Commissioners ask CCI to add this item to their 2021 Legislative Agenda. Similar to what happened in 2009 when the legislature allowed counties to license building contractors, if a bill allowing county business licensing were to pass, the Commissioners would then determine whether to enact business licensing in Larimer County, as well as the best method of administering such a program if they chose to move forward.
*****CCI Time Commitment**	
County's Priority Ranking	3
Legislator Support/Interest	Visits with legislators have not yet occurred. It is reasonable to expect some will oppose and some will support this proposal, possibly even as sponsors.
County	**Ouray**
Issue	Revive the 2019 bill to remove publishing requirements regarding county expenditures and salaries
Background	
Proposed Solution	
Fiscal Impact	
Potential Proponents/Opponents	
***Risk/Difficulties**	

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****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Priority Ranking	5
Legislator Support/Interest	
County	**Pitkin**
Issue	Cap on Fines for County Code Violation
Background	In statute there exists two places for a limitation on fines that county may levy for violations to county code: CRS 30-15-402 is the general police power and CRS 30-28-124.5 in relation to planning, zoning and building activities. These fines are capped at $1000 and have been at that level for many many years. Pitkin County has been experiencing violations of it's airport curfew that is enshrined in both county code and federal law and the $1000 limit is hardly a deterrent or punishment for violators.
Proposed Solution	As the cap is very outdated and no longer acts as a deterrent or punishment for violators, counties should have the opportunity to levy a maximum fine greater than what is allowable under law, $1000. The legislature is requested to provide relief by lifting the cap and allowing local governments to implement an effective fine schedules. An alternate approach would be to ask the legislature to allow counties to levy fines up to $10,000 for violations of code related to airport operations.
Fiscal Impact	None to the state
Potential Proponents/Opponents	Proponents: Local control advocates Opponents: Fixed Base airport operators, airlines
***Risk/Difficulties**	
****Commissioner Role/Importance**	Pitkin County commissioners would testify and provide additional information on this issue.
*****CCI Time Commitment**	
County's Ranking Priority	4
Legislator Support/Interest	

Health & Human Services

County	**Douglas**
Issue	Domestic violence plays a prevalent role in Colorado child welfare cases, yet there is no definition of domestic violence in the Colorado Children's Code. Rather domestic violence is lumped into the

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	definition of neglect and proving the environment is injurious to the child. Domestic violence is often thought of as a physical assault which results in physical injuries to the victim and/or broken items in the home. Proving an injurious environment to the child then becomes a demonstration of physical injuries sustained by the victim in the presence of the child and/or items in the home broken or destroyed in the presence of the child. The current definitions of abuse and neglect do not accurately reflect the many conditions to which a child is subjected to in a home with domestic violence nor the impact those conditions have on a child. Without a clear definition of domestic violence, often the more subtle forms of coercion, control, and alienation are overlooked and not seen as a basis for assessment or intervention. Yet these forms of domestic violence can have a long lasting and substantial impact on the safety of the victim parent and their child(ren). Title 19 of the Colorado Children's Code defines ""abuse" or "child abuse or neglect" as an act or omission in one of the following categories that threatens the health or welfare of a child". It goes on to list eight forms of injuries that may be sustained as a result of physical abuse and two forms of consequences that may result from neglect. "Is a child who is in need of services because their parent or caregiver does not provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take. Emotional abuse is defined as having a substantial impairment of the child's intellectual or psychological functioning or development or as having a substantial risk for these impairments. A child may be determined by the court to be dependent and neglected if the parent has abandoned them, subjected them to mistreatment or abuse; allowed another to mistreat or abuse the child without taking means to stop the mistreatment or abuse; the child lacks proper parental care due to acts or omissions of the parent; the environment is injurious to the child". Without a definition of domestic violence, in order to create awareness for assessment purposes and in appropriate situations pursue court action to ensure the safety of a child, the action must be filed as a form of neglect that creates an injurious environment to the child. By having a specific definition of domestic violence as a form of child abuse the county department may petition the court to intervene and hold the parent(s) accountable for this behavior and the impact it has on their child(ren). Having this definition added to the Colorado Children's Code also offers guidance to court officials overseeing domestic relations cases where concerns for domestic violence have been raised and determining appropriate parenting time for each parent.
Background	The Colorado Department of Human Services Child Fatality Review Team has repeatedly sited domestic violence as a contributing or sole factor in many of the reviews conducted. By adding a specific definition of domestic violence as a form of child abuse to the Children's Code, the county could make a child abuse finding of domestic violence. This would allow Colorado to accurately capture data on this form of abuse and perhaps use this data to increase funding for services to address the issue of domestic violence and the impact it has on children as well as the efficacy of treatment and intervention to reduce the incidence of this issue and its impact on children including intergenerational impact.
Proposed Solution	Section 19-1-103(1)(a)(IX) (A) Domestic violence as described herein means an unusual and excessively vigorous arguing including demeaning name-calling, a threat or threats of harm, physical fighting that results in the filing of any level or form of state criminal charges, threatened use of weapons, brandishing of weapons, or use of weapons, altercations that result in physical injury to a participant, an act of violence that involves a sexual assault, stalking, cyber stalking, and harassment that result in a reasonable and significant level of fear for the child, a physical injury to the child, inhibiting the ability of a child to establish or maintain a positive relationship with another parent, guardian, legal custodian or other physical caretaker by influencing the child through a pattern of false or primarily false allegations or

assertions against the other parent, guardian, or legal custodian or other physical caretaker, or an act or pattern of domestic violence as described in 19-1-103(1)(a)(IX) which results in a significant, observable physiological or emotional/behavioral reaction in the child.

(B) The following are examples of domestic violence that are included in the definition of domestic violence in 19-1-103(1)(a)(IX):

(i) A child has witnessed or been physically present for an act of domestic violence between a parent, guardian, legal custodian, or other physical caretaker for the child and any other person, and the child is physically injured, at risk of being physically injured, or that creates a reasonable and significant level of fear for the child, or that creates a significant, observable, physiological or emotional/behavioral reaction in the child;

(ii) A child sees or is informed of an act of domestic violence between a parent, guardian, legal custodian, or other physical caretaker for the child and another person and is aware of the use of weapons, injuries sustained or inflicted by the parent, guardian, legal custodian, or other physical caretaker or the other person involved and the child expresses or exhibits a reasonable and significant fear or a significant, observable, physiological or emotional/behavioral reaction occurs in the child as a result of such information or awareness;

(iii) A child witnesses or is informed of a pattern of domestic violence incidents between a parent, guardian, legal custodian, or other physical caretaker of the child and any other person, and the child is physically injured, at risk of being physically injured, or that creates a reasonable and significant level of fear for the child or a significant, observable, physiological or emotional/behavioral reaction in the child as a result of any one incident or the pattern of incidents;

(iv) A child witnesses, is aware of, or informed of physical stalking, stalking using electronic devices of any kind, harassment in person or through any form of electronic device or information posted or shared on public media of any kind concerning a parent, guardian, legal custodian, or other physical caretaker of the child that creates a reasonable and significant level of fear for the child or a significant, observable, physiological or emotional/behavioral reaction in the child as a result of a single incident or pattern of such stalking, cyber stalking, or harassment.

(v) A child who experiences any of the forms of domestic violence discussed in Section 19-1-103(1)(a)(IX) and is deemed by a clinical professional to be parentified towards the parent, guardian, legal custodian or other physical caretaker of the child or is significantly resistant, estranged or fearful of a parent, guardian, legal custodian, or other physical caretaker in a manner that demonstrates a significant dysfunction or disruption in important relationships as a consequence of said experience of or exposure due to domestic violence as described in Section 19-1-103(1)(a)(IX).

(vi) Parental alienation caused by a parent, guardian, legal custodian, or other physical caretaker for the child which inhibits or prevents a child from establishing or maintaining an important relationship beneficial to the nurturance, guidance, healthy development, or well-being of the child through a pattern of false or primarily false allegations by the person engaging in parental alienation.

(C) If there is a preponderance of the evidence supporting a finding of domestic violence as described and defined in Section 19-1-103(1)(a)(IX), such preponderance of the evidence is a basis for adjudicating a child dependent or neglected pursuant to Section 19-3-102(1)(a)as mistreatment or abuse, 19-3-102(1)(b) to the extent that a child is alleged to lack proper parental care through the actions or omissions of a parent, 19-3-102(1)(c) to the extent that the child's environment is injurious to their welfare, and 19-3-102(1)(d) to the extent that the parent fails or refuses to provide the child with proper necessary care or any other care necessary for the child's health, guidance, or well-being in

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	the form of an emotionally and physically safe home. **In lieu of paragraph C immediately above, could instead duplicate the text in Section 19-1-103(1)(a)(IX) or make a cross reference as an addition to:** Section 19-3-102(3) A child is neglected or dependent if harmed by domestic violence as defined and described in Section 19-1-103(1)(a)(IX)
Fiscal Impact	There is no fiscal impact anticipated.
Potential Proponents / Opponents	Other county departments of human services and county attorneys' offices have expressed interest in and/or support of this proposal. The proposal has been shared with the State Domestic Violence Program and The Children's Hospital, both have expressed interest in seeing this move forward.
***Risk/ Difficulties**	
****Commissioner Role/Importance**	The Douglas County Commissioners are in support of this proposed legislation and participation in the vetting process.
*****CCI Time Commitment**	
County's Priority Ranking	1 – non-Human Services issue
Legislator Support/Interest	We have not yet visited with our legislator and do not have a sponsor at this time.
County	**Lake**
Issue	Throughout the past year, Lake County has had a tremendous struggle trying to keep our only childcare facility open for our infant and toddler programs in the county. The problems stem from a perfect storm of situations that cannot bring a workable solution to rural counties. Unlike our neighboring counties, we do not have a strong work force to draw from, and the requirements for us to have a director with degree level minimum qualifications make it difficult, if not impossible, for us to recruit and retain staff to maintain the licensing of the child care center in good standing and the center open. Because of the low wages that we can pay (even with alarming costs for private pay tuition slots of childcare), we cannot guarantee the center to remain open long enough for governance to form and for staff to continue professional development. We are requesting that legislative efforts be taken to curb the licensing requirements based on the location of the center, and that staff be able to have a "grace period" to obtain qualifications needed for the educational components of the center to sustain. While we understand this issue might take some caressing to be perfected, and the safety and well-being of children is of the utmost priority, it is critical to take into consideration that the regulations and inconsistent ability to keep centers open leaves children and families in an even more vulnerable state.
Background	In 2019, Bright Start, the only licensed childcare facility in Lake County was forced to close for a time period because they could not recruit staff that held qualifications that are required to work in a childcare center. During this time, they were unsuccessful in the recruitment of staff to fill the director

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	role because they did not offer a salary that would match the minimum educational qualifications necessary for an individual to be a director of a center. At the time, our DHS was able to subsidize the salary needs to allow the center to recruit an individual with the educational requirements. Being a bedroom community to a surging economy less than 45 minutes away makes the competition for staff higher than in an urban area: there seems to be much greater demand for services and less supply of qualified individuals to fill these roles. Currently, the center's staff is paid minimum wage and only one staff member has qualifications to be considered in the director role. The organization is a non-profit but must meet the strict childcare licensing requirements because of the nature of its operations. The center has worked hard to be the steppingstone into the Head Start and Colorado Preschool Program that is offered at the school district and serves as a secondary program to serve the needs of children that are preparing for kindergarten. The center serves close to 40 families in our community that are unable to get care for their children, or whose children are on the waiting list for the Head Start program. The center has worked hard to be in a position to match curriculum of the Head Start program as a supplement to the care offered there, but the qualification and in equity of pay for staff at the center is a systemic issue that we will not be able to overcome without a reasonable solution to the licensing requirements and qualifications for staff, both directors and group leaders.
Proposed Solution	One proposed solution would be to allow for a grace period to allow for staff to come on as "staff" and be able to work through the PDIS system set up by State licensing to obtain the group lead or director qualification. Each center could be responsible for providing documentation showing due diligence for each staff member that might need to work toward a qualification. Although there is the opportunity for waivers to be submitted, there is not an opportunity to have staff that is only missing the educational component from being hired. We would like to ask for assistance from our representatives to assist with the regulations through an understanding about the cost and resources that are available for rural communities to have sustainable childcare centers that continue to encourage work force participation.
Fiscal Impact	Unknown at this point.
Potential Proponents/Opponents	To date, we have not had conversations with stakeholders about this other than the Bright Start Board and Human Services.
***Risk/Difficulties**	
****Commissioner Role/Importance**	Commissioner Marcella has worked as the managing commissioner over Human Services to be part of the solutions of funding for Bright Start to work to open back up and stay open with qualified staff. While we know this problem has been solved, it is very evident that the solution is only temporary. There is not a large pool of qualified individuals that can assume the director or group lead role, and with the low salary and high cost of living options it is not feasible to consider relocation of qualified candidates.
*****CCI Time Commitment**	
County's Priority Ranking	
Legislator Support/Interest	Representative McCluskie is willing to carry a bill, if needed, for rural areas.

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County	**Larimer**
Issue	Colorado's current laws and rules prescribe an investigative, one size fits all approach to the assessment of allegations of mistreatment of at-risk adults.
Background	Currently, Adult Protective Services has few options to determine how to respond to reports of concerns regarding at-risk adults; we can screen a referral out if determined that it doesn't meet the threshold to investigate the concerns; or we can investigate the report and determine if mistreatment occurred (a "finding" is needed) or no mistreatment occurred (or no "finding" is needed). Current laws don't allow for the APS program to provide services and resources in a more prevention focused manner as is currently allowed in child welfare.
Proposed Solution	The proposed solution is to implement Differential Response (DR) for Adult Protection similar to its implementation in Child Welfare. It would include two tracks: (1) alternative assessment response (AAR) in which abuse findings are not made for allegations of low or moderate abuse and services and resources can be provided in a more prevention focused approach; and (2) investigative response (IR) where abuse findings are made for high risk allegations and additional services and resources can be provided. A two-track model would allow for a customized response to adults and families based on the severity of abuse allegations. House Bill 18-1284, ultimately resulting in CRS 26-3.1-111 (1), " The general assembly finds and declares that individuals receiving care and services from persons employed in programs or facilities described in subsection (7) of this section are vulnerable to mistreatment, including abuse, neglect, and exploitation. It is the intent of the general assembly to minimize the potential for employment of persons with a history of mistreatment of at-risk adults in positions that would allow those persons unsupervised access to these adults. As a result, the general assembly finds it necessary to strengthen protections for vulnerable adults by requiring certain employers to request a CAPS check by the state department to determine if a person who will provide direct care to an at-risk adult has been substantiated in a case of mistreatment of an at-risk adult." This may have may had the unintended effect of compromising the willingness of adults at risk of maltreatment to engage with adult protection in an effort to protect the adult's caregiver/family. A one track, all families receiving the same response and a requirement of a finding, including self-neglect cases, is the only option available in Adult Protection. Mirroring DR in Child Protection, AAR in Adult Protective Services (APS) would focus on partnership with the adult and family/community networks, their strengths and services needed to support safety, versus the single incident focus of IR. In the proposed 2 track practice model, counties would review allegations making a discernment as to how to respond to those where the risk is low to moderate. Both AAR and IR would use a rigorous assessment of safety, risk, and protective factors as well as ascertainment of facts to determine the strengths and needs of the adult at risk of maltreatment. The use of AAR assessment response further aligns practice to the tenants of Adult Protection; Right to Self-determination, Consent to Services, Least Restrictive Intervention and Confidentiality as the vulnerable adult would not be required to be interviewed outside of the presence of the perpetrator, both would be contacted before the worker goes to the residence and there is no finding about the abuse. This practice would increase engagement with family members who are in a caregiving role, providing them with education and resources, rather than making a finding and losing their engagement and possibly their support to the vulnerable adult. The absence of a finding in self-neglect cases, which are unique to Adult Protection, is likely to increase client engagement therefore decreases the likelihood of refusal of services
Fiscal Impact	While no fiscal note accompanied the legislation for the Differential Response Pilot in Colorado for

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	Child Welfare, there were financial impacts at both the county and state levels. There is an anticipated fiscal impact associated with the necessary changes to the Colorado Adult Protective Services statewide data system (CAPS) to support a DR pilot. Grant funding options will be sought to cover anticipated training costs. However, implementing DR would provide much greater flexibility and benefit to the current APS Services Allocation that we already receive. We would be able to fund those services and supports through a prevention approach rather than being limited to services for clients with open cases with APS.
Potential Proponents / Opponents	A county-led DR work group has been meeting for nearly 3 years. This group has grown from 5 counties to 15 and includes CDHS staff involvement. Additionally, community groups and law enforcement in several counties have expressed support during conversations about implementing DR for Adult Protective Services.
***Risk/ Difficulties**	
****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Priority Ranking	1
Legislator Support/Interest	We have not had specific conversations with local legislators but know that Senator Joann Ginal is very interest in the services and resources provided to this population. She meets annually with our Aging and Adult Services staff to learn more about local challenges, services, and resources.
County	**San Miguel**
Issue	More funding for Mental Health Co-Responder Programs for County Sheriff's & Jails
Background	Co-Responder Programs are proven highly effective, reduce conflict escalation on law enforcement calls and in jails and reduce jail time and expense for those who actually need mental health services. Currently there are grant funded programs that do not allow long-term funding certainty.
Proposed Solution	Language was included in the early versions of SB20-217. OBH has funding, but access for some counties has been difficult. CCI was working toward general much needed reform for Behavioral Health program funding, so perhaps we could use that work to move this specific need forward.
Fiscal Impact	We understand the need to re-allocate existing funds and this would have a positive financial benefit for counties.
Potential Proponents / Opponents	This would be drafted in a way to gain the Sheriff's Assn. support. Not aware of any opposition.
***Risk/ Difficulties**	

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****Commissioner Role/Importance**	Research, advocacy, and testimony.
*****CCI Time Commitment**	
County's Priority Ranking	2
Legislator Support/Interest	Our members are likely to co-sponsor.
County	**San Miguel**
Issue	The COVID pandemic has exposed many needs in our Public Health care systems, most notably lack of trained personnel to assist with contact tracing, testing, information dissemination, epidemiological training and data management and other health care/pandemic related services.
Background	Senator's Bennet and Gillibrand introduced federal legislation to initiate a Public Health Force to initiate the recruitment, training, and employment to expand our Public Health capacity. Given the state of national politics these days, it's future is uncertain. We would like to consider a Colorado version of this proposal in case it does not move federally, that would be State funded and locally managed. https://www.bennet.senate.gov/public/index.cfm/2020/4/bennet-gillibrand-announce-health-force-to-mobilize-americans-against-coronavirus-pandemic Even when we are not in a pandemic, increased public health services and education will benefit our counties and reduce the costs of health care.
Proposed Solution	Incentivize Colorado higher education to offer increased training. Select options from Bennet legislation that could be achieved at the State and local level.
Fiscal Impact	Unknown
Potential Proponents / Opponents	None
***Risk/ Difficulties**	
****Commissioner Role/Importance**	Research, advocacy, and testimony.
*****CCI Time Commitment**	
County's Priority Ranking	3
Legislator Support/Interest	Have not had the conversation

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	Justice & Public Safety
County	**Montrose**
Issue	Increasing traffic fines for traffic offenses and distributing funds collected from the adjustment to the county in which the violation occurs.
Background	The bill, SB20-70, was introduced in the senate committee for transportation and energy on 01/10/2020. Due to COVID-19, the bill was abandoned.
Proposed Solution	See attached bill that was introduced in the senate on 1/10/2020 at end of document.
Fiscal Impact	See attached fiscal note at end of document.
Potential Proponents / Opponents	In the last legislative session, opponents included the ACLU and CML. However, CML did not put any objections to the bill on the record. Proponents previously included Colorado District Attorney's Council (CDAC) and Colorado Organization for Victim's Assistance (COVA).
***Risk/ Difficulties**	
****Commissioner Role/Importance**	Keith Caddy, Commissioner for Montrose County, is interested in increasing district attorney and law enforcement budgets through this bill.
*****CCI Time Commitment**	
County's Priority Ranking	
Legislator Support/Interest	Senator Coram is willing to sponsor this bill. Also, Representative Catlin has expressed support for the bill.
County	**Summit**
Issue	Amend SB20-217, the Enhance Law Enforcement Integrity Act ("Act") to mitigate a few of the more onerous provisions including the resulting adverse financial consequences of those provisions.
Background	SB20-217, the Enhance Law Enforcement Integrity Act ("Act") was enacted for the purpose of bringing police reform to Colorado. While the intent of the Act was supported by all, the new legislation mandates sweeping changes in many areas, including but not limited to: (1) requiring all peace officers in Colorado to be equipped with body worn cameras by July of 2023; (2) an expansion of criminal liability for peace officers and associated limitations on the use of force and deadly force; (3) mandatory revocation of an officer's Peace Officer Standards and Training ("POST") certification if found criminally or civilly liable for certain conduct; (4) mandatory employment disciplinary sanctions for officers; (5) mandatory comprehensive reporting requirements for peace officers and police departments when they "contact" (interact with) an individual; and (6) the adoption of C.R.S. § 13-21-131(1) ("Section 131(1)") – a new civil cause of action under Article II of the Colorado Constitution for claims alleging excessive use of force or violation of other rights secured by Article II.

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	Critically, the Act makes clear that the immunities that local law enforcement agencies and their peace officers have enjoyed under the Colorado Governmental Immunity Act ("CGIA") and Qualified Immunity Doctrine are not available in an action pursued under Section 131(1). Notably, those immunities and protections have not been eliminated for any state law enforcement officers, presumably because of the substantial negative financial impact resulting from the elimination of those protections. Importantly, this proposal would not alter (or reinstate) the elimination of the Qualified Immunity Doctrine for purposes of the new state civil rights cause of action under Section 131(1).
Proposed Solution	1. Civil Liability - Restore the applicability of the Colorado Governmental Immunity Act as well as other Colorado statutory immunities and limits on liability, damages, and attorney fees to the new civil action created under CRS 13-12-131. The SB217 prohibition on using the Qualified Immunity Doctrine as a defense would remain intact. The multitude of state law enforcement officers in Colorado, such as the Colorado State Patrol, detentions deputies, are EXCLUDED from the civil liability sections of SB217 because of the horrible negative financial costs of those provisions – there is no legitimate rational to treat cities, towns and counties in a disparate manner. 2. Contacts Definition - Narrow the definition of a law enforcement "contact" to: a) include only "in-person" interactions (so that phone calls and other communications with law enforcement are excluded), b) include to only interactions with the subject/suspect of an investigation, c) exclude law enforcement encounters in detentions facilities - such as our county jails, and d) exclude undercover law enforcement personnel. 3. Body Worn Camera Usage - Narrow the circumstances under which a peace officer is required to activate a body camera or record so that it: a) applies only to "contacts" as described in Section 2 above, b) applies only to "in-uniform contacts" so as to exclude plain clothes operations. 4. Evidentiary penalty for failing to activate camera/record – Narrow the presumptive inadmissibility of evidence to only statements made by a defendant and not the victim or witnesses. 5. Release of Information Remedy – Add a judicial remedy to extend the time period to release camera recordings - the current deadline of 45 days (from the date of the incident) to release recordings involving an ongoing investigation is too short in many instances. Provide an avenue for a DA or law enforcement agency to request that a court approve additional time to for the release of information pertaining to an ongoing investigation. 6. Use of Force – SB217 requires an officer to use only "nonviolent means" before resorting to "physical force" but the term "nonviolent means" is not defined in SB217. The Act should be amended to a) provide a definition, and b) narrow the definition of "physical force" as used in SB217 to exclude fundamental controlling techniques and/or types of force that do not have a substantial likelihood of causing injury to the person (i.e. this would exclude routine control holds, twist locks, handcuffing techniques for combative or noncompliant arrestees). 7. Use of Force – SB217 requires that a peace officer use only a degree of force that is "consistent with the minimization of injury to others." The term "others" is not defined and should exclude criminal defendants and their accomplices. Also, the standard requiring the minimization of injury" is too subjective and is not practicable. The phrase should be amended to require that an officer can only use a degree of force "that does not create a substantial risk of injury to other

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	persons" as that standard is more reasonable and is used in the same section of SB217. 8. POST certification revocation – SB217 requires revocation of a peace officer's POST certification if the officer is found civilly liable for <u>any</u> unlawful use of force whatsoever or for failing to intervene in any use of force by another officer deemed to be unlawful – all after the fact with 20-20 hindsight. Revocation is also required for a criminal plea bargain or conviction <u>involving</u> (the degree of involvement is not defined or limited) the unlawful use of force or failure to intervene in another officer's use of force (again, after the fact with 20-20 hindsight). Amend SB217 to make the mandatory POST revocation applicable to only the use of force that results in "serious bodily injury or death" and not the wide array of more minor injuries that can routinely occur or be alleged. 9. POST certification revocation – revocation is also required under SB217 if it is found in any proceeding or internal investigation that a law enforcement officer failed to activate a camera or tampered with a camera to conceal conduct that is deemed "inappropriate" (after the fact with 20-20 hindsight). The term "inappropriate" is not defined and is subject to a wide range of interpretation – it should be deleted. The POST revocation sanction would then be limited to conduct involving unlawful actions or the obstruction of justice as currently provided. 10. Victim/witness protection regarding release of video recordings – SB217 requires the release of camera recordings under most circumstances, with exceptions for certain specified instances where "substantial privacy concerns" exist for defendants, victims, witnesses, juveniles, and others. The privacy concerns should not be limited to only the examples recited in the Act and therefore the phrase "including but not limited to" should be inserted immediately before the examples listed in SB217 regarding the protection of privacy interests. ******Also consider creating a **task force or a process to sort through the funding pieces** of SB 217 – body cams and data collection. Both are unfunded mandates and local governments will need the state's help to meet these expectations.******
Fiscal Impact	Substantial positive impacts would result from the amendments but they are difficult to specify given the substantial changes generated by the Act, multitude of uncertainties regarding the various requirements of the Act, and consequential financial impacts of the Act, as it may be interpreted by the courts in the years to come.
Potential Proponents / Opponents	Proponents are political subdivisions with local law enforcement agencies and law enforcement personnel. Opponents are the prime sponsors of the Act and various civil rights groups including the ACLU and CTLA (Colorado Trial Lawyers Assoc.). No contacts to date with opponents.
***Risk/ Difficulties**	
****Commissioner Role/Importance**	Financial liability for law enforcement agencies and their defense of law enforcement personnel, including the potential revocation of Sheriff Deputies' POST certifications pursuant to vague provisions and stringent standards in the Act.
*****CCI Time Commitment**	
County's Priority	

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Ranking	
Legislator Support/Interest	Yes, support in concept to date.
Land Use & Natural Resources	
County	**Ouray**
Issue	Affordable Forest Health Treatments
Background	Removal of dead and dying trees, and other activities to promote forest health and conduct wildfire mitigation activities results in both viable timber product as well as waste material known as 'slash'. Slash can be eliminated as a fire fuel through several methods, including chipping or mulching, as well as by assembling burn piles. Burn Piles can be ignited when moisture or snow conditions exist so as not to cause wildfire. Burn Piles are by far the most feasible and economical way to deal with slash. However, Colorado Department of Public Health and the Environment imposes strict conditions on when Burn Piles may be ignited, so as not to cause smoky air. Smoke Permits are issued according to optimal atmospheric specifications. In many cases, it is difficult if not impossible to achieve these optimal conditions, and as a result, there are many hundreds and thousands of burn piles needing to be burnt, but possibly never will be. While the burn piles sit waiting, actual wildfires cause such severe smoke conditions that entire highways and national forests are closed.
Proposed Solution	Require CDPHE to allow burning of burn piles in additional atmospheric conditions, even those that may cause visible smoke. Allow State Forest Service staff to assist with burn pile burning.
Fiscal Impact	Easier to obtain burn permits would make it less expensive to conduct forest health treatments, which will in turn reduce the even more costly effects of uncontrolled wildfire.
Potential Proponents/Opponents	Proponents would include proponents of healthy forests. Opponents may include those sensitive to moderately smoky air conditions.
***Risk/Difficulties**	
****Commissioner Role/Importance**	Ouray County cannot afford to construct a central slash chipping facility. We have several areas of burn piles that have been waiting for three years for conditions which would allow burn pile ignition. The burn piles continue to sit in the forest, remaining as a potential wildfire hazard rather than achieving their intended use as an effective forest health treatment.
*****CCI Time Commitment**	
County's Priority Ranking	4
Legislator Support/Interest	They are receptive to the idea.

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County	**La Plata**
Issue	Landfill Regulation Reform Legislation
Background	In 2019, a handful of CCI counties were engaged in contentious disagreements with CDPHE regarding county-owned landfills. In 2020, more counties are subject to enforcement orders from CDPHE which threaten those counties with exorbitant costs and potential penalties of $10,000 per day per violation. Fundamentally, CDPHE is trying to apply regulations that many counties believe are inconsistent with state law. In response to a recent state district court victory by La Plata County, CDPHE (in 2019 and 2020) drafted legislation to make the court case irrelevant. CCI and CDPHE were making progress on resolving the concerns of both the counties and CDPHE and the parties were working towards potential joint legislation when the session was derailed by covid-19.
Proposed Solution	Ideally, legislation jointly supported by CDPHE and CCI that resolves the concerns of both parties and better protects the public health and also the fiscal resources of county taxpayers. Hopefully we could pick up where we left off in early 2020. This legislation is relevant to every county in Colorado who owned or operated a landfill, particularly closed landfills. Several CCI Commissioners participated in the negotiations with CDPHE in 2020. They may need to play that role again as well as lobby their own state legislators.
Fiscal Impact	Passage of this landfill reform legislation should clarify and limit CDPHE's ability to retroactively apply new water quality standards for closed landfills and would allow counties room to mitigate damage rather than be on the hook for a blank check dependent on the whim of CDPHE.
Potential Proponents/Opponents	Proponents – Colorado counties; possibly municipalities, depending on the extent of the regulatory changes. Opponents – CDPHE (if no agreement is reached), environmental protection groups
***Risk/Difficulties**	
****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Priority Ranking	This is a #1 priority for La Plata County given that we are subject to multi-million dollar costs and penalties. We believe that other counties, like Arapahoe, Adams, Park, Alamosa, Conejos and Larimer have had similar experiences and have faced similar risks.
Legislator Support/Interest	Last year, CCI was able to keep the CDPHE-proposed legislation from being introduced, so legislators are aware of the issue and sided with counties in 2020. If the legislation is supported by both CDPHE and CCI, finding a sponsor should be no problem. If it is not joint legislation, there will need to be a re-thinking of the best approach.
	Taxation & Finance
County	**Clear Creek**
Issue	The issue is the impact of tens of thousands of tourists recreating on lands in Clear Creek County often by purchasing recreational services like ski passes or guided tours like rafting or OHV services. The lack of ability to tax these services means we have limited ability to develop management

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	approaches that help us offset the impact of these activities without seeking support from other sources.
Background	Clear Creek County has tens of thousands of visitors on a weekly basis, with 50-90,000 participating in raft trips, 35,000 or more ascending Bierstadt alone, and an estimated (according to our trail counters we have installed) 100,000 hikers, bikers, and OHV users annually. Many of these visitors make purchases in the County and pay sales tax that contribute to government operations but millions of dollars in payments to ski passes and guided tours are untaxed.
Proposed Solution	This proposal is for enabling legislation granting Colorado counties the authority to levy sales tax on Outdoor Services & Experiences. This would allow counties, with voter approval, to enact sales taxes on outdoor lessons and guided tours, including biking, fishing, mountain biking, rafting, ski lessons, winter mountaineering, snow-cat tours, jeep and OHV tours, birding, walking tours, mining tours and other experiences led by a tour guide, instructor or other leader. It would also grant authority for counties to tax outdoor experiences like tickets/tuition for experiences including outdoor festivals and fairs, day camps and residential camps, outdoor concerts and lift tickets, gondola rides etc.
Fiscal Impact	Clear Creek County estimates that tax revenue from outdoor lessons and guided tours and tickets for outdoor experiences including festivals, concerts and ski passes may be as high as $250K based on a 1% sales tax on outdoor services & experiences.
Potential Proponents / Opponents	We have discussed in a public meeting but have not done community outreach or industry leader input.
***Risk/ Difficulties**	
****Commissioner Role/Importance**	The Clear Creek BoCC has discussed and support submitting this request for further CCI consideration.
*****CCI Time Commitment**	
Legislator Support/Interest	
County	**Clear Creek**
Issue	The issue is a large gap between Sales tax rates in Municipalities and unincorporated areas. Tax rates in unincorporated Clear Creek County are 4.55 percent, but those in our municipalities are 3-5% higher. Clear Creek County cannot seek to increase sales taxes in unincorporated areas without increasing rates in the municipal areas that are already approaching the top end of rates in the state. Every county in Colorado struggles to deliver the services that our constituents expect. Property taxation is an increasingly unstable source of revenue, while sales tax revenues continue to climb with inflation. Sales tax revenues are not burdened by the fiscal quagmire that is property tax law. By 2022, counties will face one of two significant threats to our revenue. Either Gallagher fails and we face a 5.8 RAR, which will cost Clear Creek $867,529.00 in revenue or it passes, and we see pressure to reduce the non-residential assessment rate. Many counties are working to degallagherize, but the results of those questions are uncertain. As property taxes become uncertain, impacts to unincorporated areas are increasing in many areas of the state. Recreational tourism has been steadily increasing for decades and exploded this summer. Sales tax generating activity has increased as well. Some examples of this activity are Ski Areas, Rental

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companies, Retail, Short Term Rentals, Truck Stops and Convenience Stores. As has often been discussed, sales taxes provide a way for visitors to pay for the impacts that they create.

The ability to ask for sales tax revenue in unincorporated areas only will give voters more flexibility to structure revenue streams that are fair and sustainable.

Background

The calculations below show that the sales tax base of Unincorporated Clear Creek County is 34 million dollars. Every percentage of sales tax levied in this area will generate $364,663 dollars. With and average difference of 4.13% between unincorporated and municipal sales tax, there is roughly 1.5 Million dollars in annual revenue that voters would have the option of contributing to the robust services that they expect.

Effective Sales tax rates

	Colorado	County	Municipal	Total
Clear Creek	2.90%	1.65%		4.55%
Idaho Springs	2.90%	1.65%	4.00%	8.55%
Silver Plume	2.90%	1.65%	3.00%	7.55%
Georgetown	2.90%	1.65%	4.50%	9.05%
Empire	2.90%	1.65%	5.00%	9.55%

Avg difference between unincorporated and incorporated sales tax 4.13%

Revenue Potential calculation

Jurisdiction	2019 collections	Tax rate	Sales tax base
Clear Creek (actual)	$ 1,414,128.00	1.0%	$ 141,412,800.00
Idaho Springs (actual)	$ 2,951,774.03	4.0%	$ 73,794,350.75
Silver Plume (actual)	$ 101,565.19	3.0%	$ 3,385,506.33

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	Georgetown (actual) $ 1,040,467.00 4.5% $ 23,121,488.89 Empire (estimated) $ 232,257.64 5% $ 4,645,152.80 **Unincorporated sales tax base** **$ 36,466,301.23** **Revenue potential at 4% increase** **$ 1,458,652.05** **Revenue potential per 1%** **$ 364,663.01**
Proposed Solution	We propose the strikethrough as indicated below: 29-2-103: (1) Each county in this state is authorized to levy a county sales tax, use tax, or both in accordance with the provisions of this article. No proposal for a county sales tax, use tax, or both shall become effective until approved by a majority of the registered electors of the county voting on such proposal pursuant to section 29-2-104 . Such a proposal for a sales tax, use tax, or both, upon approval by a majority of the registered electors voting thereon, shall be effective throughout the incorporated and unincorporated portions of the county except when less than countywide application is authorized pursuant to subsection (2) of this section. (2) A county may levy a sales tax, use tax, or both, in whole or in part, in less than the entire county ~~when the following conditions are met:~~ ~~(a) Deleted by Laws 2008, Ch. 264, § 4, eff. Aug. 5, 2008.~~ ~~(b) The area to be excluded from the tax levy is comprised solely of a portion of a municipality whose boundaries are located in more than one county; and~~ ~~(c) All other counties in which a portion of the municipality described in paragraph (b) of this subsection (2) is located have agreed to provide fair compensation to the county for any services extended to such municipality as a result of revenues derived from the county tax levy from which the municipality is excluded.~~ (3) The approval provisions of subsection (1) of this section, the restrictions on contents of sales or use tax proposals set forth in section 29-2-105 , and the collection procedures of section 29-2-106 shall apply to county sales or use taxes or both levied pursuant to subsection (2) of this section.
Fiscal Impact	This could enable Clear Creek to ask the voters for 1.4 million dollars in sales tax revenues that otherwise are politically unattainable because of prevailing rates inside the municipalities.
Potential Proponents /	These conversations have occurred.

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Opponents	
***Risk/ Difficulties**	
****Commissioner Role/Importance**	One of our county commissioners came across this issue in trying to find creative solutions to rapidly declining revenues and demand for new services. The research and calculations were made this commissioner, who will be a reliable partner in lobbying for this change if it becomes a CCI bill.
*****CCI Time Commitment**	
*****CCI Time Commitment**	
Legislator Interest/Support	These conversations have not occurred.
County	**Grand (proposal also from Ouray – below)**
Issue	In Colorado, commercial property owners pay four times the real property tax of residential property owners. There is also a problem with any County or Special District that "DeGallagherizes" in that Commercial Property owners will see an increase in taxes. When Mills are adjusted to compensate for the RAR dropping, those additional mills are also applied to Commercial Property owners too, who are stuck at 29% assessment rate. This is set in the State Constitution: The **bold** portion of Article 10, Section 3 of state constitution is what we need to change. b) Residential real property, which shall include all residential dwelling units and the land, as defined by law, on which such units are located, and mobile home parks, but shall not include hotels and motels, shall be valued for assessment at twenty-one percent of its actual value. For the property tax year commencing January 1, 1985, the general assembly shall determine the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property. For each subsequent year, the general assembly shall again determine the percentage of the aggregate statewide valuation for assessment which is attributable to each class of taxable property, after adding in the increased valuation for assessment attributable to new construction and to increased volume of mineral and oil and gas production. For each year in which there is a change in the level of value used in determining actual value, the general assembly shall adjust the ratio of valuation for assessment for residential real property which is set forth in this paragraph (b) as is necessary to insure that the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property shall remain the same as it was in the year immediately preceding the year in which such change occurs. Such adjusted ratio shall be the ratio of valuation for assessment for residential real property for those years for which such new level of value is used. In determining the adjustment to be made in the ratio of valuation for assessment for residential real property, the aggregate statewide valuation for assessment that is attributable to residential real property shall be calculated as if the full actual value of all owner-occupied primary residences that are partially exempt from taxation pursuant to section 3.5 of this article was subject to taxation. **All other taxable property shall be valued for assessment at twenty-nine percent of its actual value.** However, the valuation for assessment for producing mines, as defined by law, and lands or leaseholds producing oil or gas, as defined by law,

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	shall be a portion of the actual annual or actual average annual production therefrom, based upon the value of the unprocessed material, according to procedures prescribed by law for different types of minerals. Non-producing unpatented mining claims, which are possessory interests in real property by virtue of leases from the United States of America, shall be exempt from property taxation. If this CCI legislative issue is to succeed, it will require the 2021 Legislature to pass a bill for a ballot measure in Nov 2021 and the people of Colorado will have to pass it by 55% vote. A heavy lift.
Background	The Gallagher struggles of the last several years has caused me to ask "Why are owners of "Brick and Mortar" properties that have businesses operating in them taxed so much higher than owners of residences? It's not just Gallagher, it seems most states tax commercial at higher rates than residential. I imagine the origins of commercial property taxes being higher than residential had logical roots in early America. Commercial properties drove additional traffic to that location, creating higher demands on local government to keep up the roads and infrastructure to that location, therefore the owner of that location should pay more of the taxes for those services. But this and every justification I can think of for commercial property owners to pay more than residential no longer applies. Internet sales have been killing brick and mortar owners for decades. Big box stores too. Maybe this is a way for Colorado to finally be business friendly for a change. Especially small business friendly. Residential property owners can shop from home. And the products they buy are delivered to their home. The traffic disparity of old is now greatly reduced. It is time to undo this (and many other) antiquated public policy relic that has no rational justification in today's modern world.
Proposed Solution	I propose this language: Article 10, Section 3 of the Colorado Constitution, that currently reads: "All other taxable property shall be valued for assessment at twenty-nine percent of its actual value." shall be changed to read "**All other taxable property shall be valued for assessment at twenty-nine percent of its actual value or a lower percent set by the Board of County Commissioners**."
Fiscal Impact	Well, the State budget might not be affected at all (The State doesn't collect property taxes does it?). All county budgets and special districts will see a decrease in revenues if they decide to reduce the assessment rate. Unless voters can approve an increase in mills first.
Potential Proponents/Opponents	Commercial property owners, and probably the business community will be proponents. Special Districts will be opponents. All governments that collect property taxes will be opponents. Except some might see this policy as a way to untie the Gordian knot of Gallagher. Likely results: Counties will compete over time. County A will have a lower assessment rate, it will attract more businesses. The neighboring County B will lose some businesses. The Business (and residential) citizens of County B will pressure the county commissioners to lower their commercial assessment rate. Over time, everyone will be pressured to lower the assessment rate.
***Risk/Difficulties**	
****Commissioner Role/Importance**	County Commissioners will have discretion if they implement this policy or not. It should be something Commissioners can do because it is only a matter of lowering taxes, something that does not require a vote (As Tabor only requires a popular vote to raise taxes). Once lowered however the BOCC can't later raise the assessment rate without going to a vote of the people. A county can choose to slowly lower the assessment rate to ease into the lower revenues. That would allow time for special districts to let their voters approve mill adjustments in order to protect school

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	districts, fire districts, rec districts, water, and sanitization districts, etc.
***CCI Time Commitment**	
County's Priority Ranking	1
Legislator Support/Interest	I have not visited with legislators. I suspect most legislators will not initially want to sponsor this legislation. But what could be quite beneficial is if CCI shops this Bill around to get people thinking about solutions along these lines. And, maybe as a way to help Degallagher efforts not penalize Commercial Property Owners, maybe Legislators would be in favor of that initial piece.
County	**Ouray**
Issue	The Gallagher amendment to the State Constitution is causing severe detriment to County, Municipal, and special district budgets.
Background	In 1982, Gallagher fixed a concern that was relevant to the day. With the addition of Article X, Section 20, adjustments to Gallagher have become difficult even where the viability of fire protection districts is now threatened. While an Interim Committee has been appointed to study various remedies and potential fixes to Gallagher, there is no promise or guaranty that the Interim Committee will refer any recommendations for legislative consideration. As a placeholder, and further, and in the alternative, it is prudent that CCI hold a place in its legislative agenda for 2019 to address these issues.
Proposed Solution	a. Run the same bill that CCI initiated in the 2018 session. b. Re-set the property assessment cycle to every 4 years, effective immediately and retroactive to 2018, while a proper solution can be put into place. c. Redefine "Commercial" and "All Other" categories of properties. d. Refer onto the 2019 or 2020 statewide ballot the question proposed by Colorado Mountain College.
Fiscal Impact	a. Run the same bill that CCI initiated in the 2018 session. b. Re-set the property assessment cycle to every 4 years, effective immediately and retroactive to 2018, while a proper solution can be put into place. c. Redefine "Commercial" and "All Other" categories of properties. d. Refer onto the 2019 or 2020 statewide ballot the question proposed by Colorado Mountain College.
Potential Proponents/Opponents	Proponents would be most counties, special districts, school districts, municipalities and those that rely on the services they provide. Opponents may include residents of counties that have seen exceptional growth in property values and the correspondingly lower residential property rates that Gallagher causes.
***Risk/Difficulties**	
****Commissioner Role/Importance**	County revenues relying on 'all other' property classifications will continue to decline. This affects many, especially rural, counties in the state. Severe budget cuts across many funds are likely to follow if nothing is done immediately.

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*****CCI Time Commitment**	
County's Priority Ranking	3
Legislator Support/Interest	They are all receptive to the idea.
County	**Grand**
Issue	Short Term Rentals (STRs, or their more friendly term, Vacation Rentals) get to be like hotels, but pay less than 25% the property taxes regular hotels pay.
Background	The Colorado Supreme Court has established the president that STRs are residential properties primarily because of the doctrine of original use. It is unlikely STRs will ever be taxed as commercial properties.
Proposed Solution	Pass and sign a Bill that establishes all hotels, vacation cabins, all Short-Term Rentals of all types are to be Assessed at the Residential Assessment Rate (RAR). Plan B: If this is too drastic a change, can we at least let the vacation cabins who rent out standalone units be assessed at the RAR? Traditional Hotels/Motels with rooms next to each other along a shared hallway remain commercial.
Fiscal Impact	Some reduced revenues to Counties, Towns, and special districts.
Potential Proponents / Opponents	Cabin rental businesses will be Proponents of Plan A and Plan B. All hotel owners will be proponents of Plan A only. Some County Commissioners and Special Districts will be opponents because they will lose some revenue from the hotels that convert to the RAR.
***Risk/ Difficulties**	
****Commissioner Role/Importance**	None. Except to help provide their County Assessors the resources needed to manage this change.
*****CCI Time Commitment**	
County's Priority Ranking	2
Legislator Support/Interest	I have not visited with legislators. I suspect most legislators will not initially want to sponsor this legislation. But some Republican Legislators might be interested in sponsoring because this lowers taxes.
County	**Jefferson**

*** Risk/Difficulties**	****Commissioner Role/Importance**	*****CCI Time Commitment**
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Issue	State statute currently only allows payments of property taxes in either one payment in full, or alternatively in two payments. No other options for payment are available.
Background	Currently state statute requires that property tax payments be made payable in one or two payments to the County Treasurer. If a property owner elects to make one tax payment, the payment is due on or before April 30th of each year. If the property owner elects to make two tax payments, then the payments are due February 28th for the first half, and June 15th for the second half. See C.R.S. 39-10-104.5. This binary option presents a burden to many taxpayers of limited means struggling to cope with a bill much larger than their normal expenses and how may be able to pay their taxes more efficiently on a monthly basis. Moreover, during the COVID-19 pandemic, Governor Polis issued executive orders which allowed for multiple tax payments which was well received and provided another option for taxpayers paying their tax bills.
Proposed Solution	Full taxes would still be due April 30th, but taxpayers would be allowed to make partial payments to support their personal budgeting needs. This would be an option that a County Treasurer could select based on each county's staffing and capabilities, it would not be mandatory. A partial payment option would allow property owners to make payments and to avoid a large tax bill due in April. This would benefit seniors on a fixed income and/or a commercial property that have large tax bills to more effectively manage their budgets.
Fiscal Impact	None. This change would not impact the revenue collected and the Treasurer's Office already has systems in place to facilitate the acceptance of multiple payments. Moreover, this provides better customer service and more flexibility for taxpayers, both residential and commercial.
Potential Proponents/Opponents	In speaking with other County Treasurers, they would like to offer partial payments to their constituents. This change would definitely benefit rural counties who have a lower economic status. The Treasurer has received requests for this change from residential and commercial property owners in Jefferson County. Moreover, accepting multiple payments during the pandemic was efficient and effective and allowed taxpayers to pay their tax bills on time. Now is a good time to codify the ability to accept multiple tax payments.
***Risk/Difficulties**	
****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Priority Ranking	
Legislator Support/Interest	No conversation
County	**Jefferson**
Issue	The time between the statutory deadlines for taxing authorities to submit their adopted mill levies to the Commissioners, and for the Commissioners to certify those mill levies to the Assessor, is 7 calendar days. This presents significant challenges for staff and the Board to review, compile, present, and certify - by resolution - those mill levies in the time allotted by statute.
Background	C.R.S. 39-5-128(1) requires all taxing districts to submit their adopted mill levies to the County

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	Commissioners by December 15. C.R.S. 39-1-111(1) subsequently requires the County Commissioners to certify the entirety of those mill levies to the Assessor by December 22. This presents challenges on two fronts. First, the County receives over 200 individual mill levy certification submissions each year from the various taxing authorities in Jefferson County. County staff must individually verify that each authority has submitted their mill levies, compile those submissions, and prepare and present a resolution to the Board for certification within 7 calendar days (i.e. 5 business days). Second, the County Attorney has determined that statute requires the Board must certify each taxing authority's mill levy by a formal resolution. This means staff must following the normal process for preparing hearing agenda items, which involves publishing advance public notice of the hearing, and preparing, reviewing, and submitting the documentation (resolution language and supporting documents) at least 1 week in advance of the published hearing date. This also presents a challenge in terms of the availability of hearing dates in December. The statutory requirement for the board to certify mill levies is a ministerial function, meaning a non-discretionary administrative action. This means the board does not have the authority to modify or reject any taxing district's mill levies and must certify them as submitted.
Proposed Solution	The recommendation is to amend the statute to include language that that allows the taxing authority's specific mill levies to be certified by a formal resolution, OR by a signatory as designated by the Board of County Commissioners Proposed Language: C.R.S. 39-1-111(1) No later than December 22 in each year, the board of county commissioners in each county of the state, or such other body in the city and county of Denver as shall be authorized by law to levy taxes, or the city council of the city and county of Broomfield, shall, by an order to be entered in the record of its proceedings, [OR BY SIGNATURE OF AN AUTHORIZED DESIGNEE OF THE BOARD], levy against the valuation for assessment of all taxable property located in the county on the assessment date, and in the various towns, cities, school districts, and special districts within such county, the requisite property taxes for all purposes required by law.
Fiscal Impact	There is not anticipated fiscal impact.
Potential Proponents/Opponents	After consulting with the Jefferson County Treasurer and the Assessor, the proposed solution has no foreseen impacts on the assessment or billing processes, nor is it expected to impact any of the taxing authorities in the county. The proposed solution does not require any county to revise its current process – it simply amends the statute to allow for an alternative procedure. This alternative is consistent with the role of the board of county commissioners serving in a "purely ministerial role" when certifying mill levies, as determined by *Bolt v. Arapahoe County Sch. Dist. No. 6, 989 P.2d 525 (Colo. 1995).*
***Risk/Difficulties**	
****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Priority	

*** Risk/Difficulties**	****Commissioner Role/Importance**	*****CCI Time Commitment**
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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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Ranking	
Legislator Support/Interest	These conversations are pending.
County	**Jefferson**
Issue	The Treasurer would like to propose changes to state statute to allow more flexibility with regard to the waiver of interest on late tax payments.
Background	Currently state statute allows the Treasurer to waive a maximum of $50 in late interest. See C.R.S. 39-10-104.5(10). This amount is set and not tied to inflation or any other escalation.
Proposed Solution	The Treasurer has two options for addressing the issue described herein. One is based on a simple change to the current state statute to allow the amount of interest to be waived to be tied to a percentage rather than a fixed dollar amount. Alternatively, the State Legislature passed HB20-1421 this past legislative session which permits the Board of County Commissioners, with the Treasurer's approval, to waiver interest on property taxes until October 1, 2020. Another approach to legislation would be to codify this 2020 legislation so that is applies not only to calendar 2020 but continues in the future. Allow Treasurer to waive interest based on a percentage of amount of interest owed. For example, the Treasurer could waive up to 80% of the amount owed. Option 1: Waiver of Interest Tied to a Percentage Proposed Language: CRS 39-10-104.5(10) The treasurer may refrain from collecting any penalty, delinquent interest, or costs up to an amount equal to eighty percent (80%) of the amount to be collected herein. Nothing in this subsection (10) shall be construed as releasing any person from the payment of any tax, assessment, penalty, delinquent interest, or costs or any other moneys which are due and owing and which the treasurer is authorized by law to collect. Option 2: Revise HB 20-1421 to apply to future years, not just 2020. See proposed revisions below. CONCERNING DELINQUENT INTEREST PAYMENTS FOR PROPERTY TAX PAYMENTS. *Be it enacted by the General Assembly of the State of Colorado:* SECTION 1. In Colorado Revised Statutes, 39-10-104.5, add (13) as follows: 39-10-104.5. Payment dates - optional payment dates - failure to pay - delinquency - repeal. (13) (a) THE BOARD OF COUNTY COMMISSIONERS OR THE CITY COUNCIL OF A COUNTY OR CITY AND COUNTY MAY, UPON APPROVAL OF THE COUNTY TREASURER, BY RESOLUTION TEMPORARILY REDUCE OR WAIVE THE INTEREST RATE SPECIFIED IN SUBSECTION (3) OF THIS SECTION OR ENTIRELY SUSPEND THE ACCRUAL OF INTEREST UNDER SAID SUBSECTION (3) OF THIS SECTION FOR ANY SPECIFIED PERIOD OF TIME BETWEEN JUNE 15, ~~2020~~, AND OCTOBER 1, ~~2020~~. **EACH**

*** Risk/Difficulties**	****Commissioner Role/Importance**	*****CCI Time Commitment**
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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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	CALENDAR YEAR NOTICE OF INTENT TO REDUCE OR WAIVE THE INTEREST RATE SHALL BE DELIVERED TO AT LEAST THREE EXECUTIVES OR BOARD OFFICERS IN LOCAL TAXING JURISDICTIONS. IF A LOCAL TAXING JURISDICTION IS UNABLE TO MEET BOND PAYMENT OBLIGATIONS DUE TO, AND WITHIN THE PERIOD OF, THE WAIVER OR REDUCTION OF THE INTEREST RATE, SUCH JURISDICTION SHALL PROVIDE NOTICE TO THE COUNTY OR CITY AND COUNTY WITHIN THREE BUSINESS DAYS OF RECEIPT OF NOTICE FROM THE COUNTY OR CITY AND COUNTY. ~~(b) THIS SUBSECTION (13) IS REPEALED, EFFECTIVE DECEMBER 31, 2020~~. SECTION 2. In Colorado Revised Statutes, 39-10-112, add (5) as follows: 39-10-112. Action to collect unpaid taxes – repeal. (5) (a) ANY TIME BETWEEN THE EFFECTIVE DATE OF THIS SUBSECTION (5) AND OCTOBER 1, ~~2020~~, **OF ANY APPLICABLE CALENDAR YEAR** THE COUNTY TREASURER OR THE OFFICER RESPONSIBLE FOR THE COLLECTION OF PROPERTY TAXES FOR A CITY AND COUNTY SHALL ADVANCE PROPERTY TAX AMOUNTS TO A LOCAL TAXING JURISDICTION IN THE COUNTY OR CITY AND COUNTY TO HELP PAY BONDED INDEBTEDNESS PAYMENTS OR MONTHLY OPERATIONAL COSTS, IF THE LOCAL TAXING JURISDICTION SUBMITS A LETTER TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OR THE CITY COUNCIL OF THE CITY AND COUNTY. IN NO CASE SHALL THE ADVANCE PROPERTY TAX AMOUNT EXCEED NINETY PERCENT OF THE PROPERTY TAX DUE TO THE JURISDICTION. WHERE AN ADVANCE PAYMENT OF PROPERTY TAX IS NECESSARY TO HELP PAY BONDED INDEBTEDNESS, AND NOTICE WAS GIVEN BY THE LOCAL TAXING JURISDICTION PER SECTION 39-10-104.5 (13), THE ADVANCE PROPERTY TAX AMOUNT SHALL NOT EXCEED THE JURISDICTION'S SHORTFALL OF REVENUE DUE TO THE WAIVER OR REDUCTION OF INTEREST THAT IS NECESSARY TO COVER THE BONDED INDEBTEDNESS PAYMENT AND ONLY THOSE WHO ARE IN RECEIPT OF LESS THAN NINETY PERCENT OF THE PROPERTY TAXES DUE AT THE TIME OF THE REQUEST QUALIFY FOR ADVANCE PAYMENT FOR BONDED INDEBTEDNESS. ~~(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE DECEMBER 31, 2020.~~
Fiscal Impact	None. The County budget does not anticipate and count on the collection of interest on property taxes, therefore, waiving interest on delinquent payments would not have a direct impact on the County's budget. Moreover, this practice provides better customer service and more flexibility for taxpayers (residential and commercial), with the goal being to collect the full tax amount. Adding excessive interest amounts to the amount of taxes owed is a discouragement for someone to pay their taxes and get caught up.
Potential Proponents/Opponents	The Treasurer has had several discussions with other county treasurers relating to this issue and some are favorable to changes to this statute. At this time, we are unaware of any opponents.
***Risk/Difficulties**	

*** Risk/Difficulties**	****Commissioner Role/Importance**	*****CCI Time Commitment**
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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Priority Ranking	
Legislator Support/Interest	Jeffco legislators have not been approached about this proposal.
County	**Ouray**
Issue	Adjustments to CRS Title 39, Article 19: Tax on severance of metallic minerals. Seventy percent of Severance Tax Royalty Payments are directed towards 'local units of government impacted', regardless of the type of mineral. This means that oil & gas, coal, and metallic minerals are all treated equally for the purpose of the definition found at 39-29-102.4.(c). Local units of government impacted is defined as the local jurisdiction where the producing workers reside, and not the local jurisdiction where the severance of minerals actually occurs. For hard rock mining, a substantial impact occurs at the location of mining, in addition to the location of where the primary workers register their residence.
Background	Ouray County is supporting a revival of its mining heritage. In the 1890s, Ouray County was a world leader in workforce housing. Today, in 2020, although the County is actively working towards the creation of affordable and attainable housing solutions, we have much more work ahead on this topic, and very little funding to achieve the work. One active silver mine is rapidly progressing towards a full production capacity, and is currently hiring the associated workforce. Without a change in statute that would direct a greater portion of the royalty payments towards Ouray County, we will be challenged to build local housing options for this and all of the other workforce needs. This will put increased pressures on an already overused regional highway system.
Proposed Solution	A change in definitions of locally impacted jurisdiction, and a change in the percent of royalty payments, specifically directed towards 39-29-103 (Tax on severance of metallic minerals) ***and not*** applied to 39-29-104 (molybdenum ore); 39-29-105 (oil and gas); or 39-29-106 (coal).
Fiscal Impact	None, to the State
Potential Proponents/Opponents	Proponents would include anyone concerned about high traffic counts on Highway 550; and local jurisdictions where mineral impact occurs that need associated local improvements. The proposal is crafted so that it would not change the formula for other types of mineral extraction separately addressed in this Article. However, there is a possibility that other local jurisdictions (who would otherwise anticipate receipt of the current royalty payments under the current formula) could be opposed.
***Risk/Difficulties**	
****Commissioner Role/Importance**	Commissioners have identified this proposal as an option, and are ready and willing to do much of the stakeholder work, legislative strategery, testimony, and other items necessary to move this issue forward.

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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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*****CCI Time Commitment**	
County's Priority Ranking	1
Legislator Support/Interest	Yes. Both Senator Coram and Representative McLachlan are receptive to the idea.
County	**Pitkin**
Issue	Real Estate Transfer Tax
Background	TABOR prohibits the ability of counties to ask voters to approve a Real Estate Transfer Tax and requires legislative permission for this opportunity. Jurisdictions that had a RETT in place before the prohibition were allowed to keep this tax in place. This creates an imbalance between the powers and authorities allowed across local jurisdictions. Local control should be allowed for each jurisdiction to determine which funding opportunities are appropriate to ask for from its electorate; in particular, the RETT. Our community is seeing an influx of new year-round residents that is driving up service needs and will require additional revenues to keep up. In the instance of the RETT, this is such a tax that would place the burden more closely to the source of how impacts are being generated rather than a broad-based tax on all taxpayers. Our community already has a history of familiarity of the opportunities and obligations around the RETT as at least one local municipality's tax was grandfathered. The opportunity for individual counties to seek appropriate revenue sources as aligns with their community values is an important authority that we are missing in a time of demonstrated need.
Proposed Solution	Legislature removes prohibition on counties and municipalities to ask voters to approve a Real Estate Transfer Tax. This is a permissive change that enhances local control and does not remove requirement to seek voter approval for any new tax.
Fiscal Impact	None
Potential Proponents/Opponents	Counties and municipalities Realtors
***Risk/Difficulties**	
****Commissioner Role/Importance**	
*****CCI Time Commitment**	
County's Ranking Priority	3
Legislator Support/Interest	
	Transportation & Telecommunications

*** Risk/Difficulties**	****Commissioner Role/Importance**	*****CCI Time Commitment**
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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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County	**Douglas (proposals also from Larimer and San Miguel - below)**
Issue	The 811 Senate Bill 18-167 that was signed into law May 25, 2018 in Colorado is not practical when it comes to requiring locates for blading the top six inches of a gravel road – which is a necessary part of the maintenance of hundreds of miles of roadway the County services.
Background	We have bladed the surface of our county roads 60+ years with little difficulty. All utilities are required to place buried lines 30 inches below the surface as per Douglas County standards, anyway. We have many rural subdivisions with gravel roads. We have thousands of houses on these gravel roads. A single subdivision may have a utility running down the middle of the road for miles, with service lines to each house on both sides of the road at 200' intervals. Once the utilities are located as required in C.R.S. § 9-1.5-101 *et seq*., there will be hundreds of marks on the roads. How can we possibly pothole (using vacuum truck to excavate to actual line depth) every line before we blade the top six inches over the course of many miles of roadway? At what frequency should we pothole lines that are running down the middle of the road? Will we have to pothole in multiple places for every line after each 180 day locate? If all three hundred miles of our gravel roads are marked in a 10-day period as per law, how can we possibly get to all of them before the marks disappear? If we have severe weather and the roads become impassable, how can the public wait for all of this occur before we blade? Should service lines be potholed at each edge of the road surface and in the middle of the road? Will we still be penalized if we hit a line after doing all of this potholing?
Proposed Solution	Add an additional exception to the definition of "Excavation" in 9-1.5-102(3)(c) to read: "Routine or emergency maintenance of right of way by Counties that does not disturb more than six inches depth of roadway surface." Or even language more comprehensive such as: "When a local government is carrying out maintenance activities within its designated right of way, which may include resurfacing, milling, emergency replacement of signs critical for maintaining safety, or the reshaping of shoulder and ditches to the original road profile."
Fiscal Impact	Uncalculated financial savings to all Counties maintaining gravel roads with improved efficiencies.
Potential Proponents / Opponents	811 Authority Board has refused to allow this type of activity when requested citing safety concerns. All Counties are anticipated to be in support of this change
***Risk/ Difficulties**	
****Commissioner Role/Importance**	Avoiding unnecessary expense or delay in rural road work.
*****CCI Time Commitment**	
County's Priority Ranking	
Legislator Support/Interest	No contact with local legislator.
County	**Larimer**
Issue	811 Locate Exemption For County Road Maintenance

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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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Background	Currently counties are required to request and obtain underground utility locates prior to performing grading operations on non-paved county roads. We are proposing legislation that would redefine the excavation notification requirements for underground facility location in connection with county road maintenance, and, in connection therewith, specifying that excavation does not include routine or emergency maintenance of right-of-way on county-owned gravel or dirt roads that does not lower the existing grade or elevation of the road, shoulder, and ditches and that does not disturb more than six inches in depth during maintenance operations.
Proposed Solution	In 2019 HB20-1173 was introduced and heard by the House Transportation and Local Government Committee. The bill passed through the full house with a 61-0 vote on third reading and was forwarded to the Senate.
Fiscal Impact	This proposed change to the Colorado 811 law would save time and therefore money for counties responsible for maintenance of non-paved county roads. In addition, it would reduce the costs to facility owners for locating the thousands of miles of non-paved county roads throughout the state and is not expected to increase the incidents of damage to underground utilities.
Potential Proponents / Opponents	There was some opposition from utility facility owners although through meetings with the bill sponsors and facility owners that opposition was reduced.
***Risk/ Difficulties**	
****Commissioner Role/Importance**	General support
*****CCI Time Commitment**	
County's Priority Ranking	2
Legislator Support/Interest	Bill sponsors were Representative Mark Baisley and Representative Lori Saine/Senator Jim Smallwood and Senator Faith Winter.
County	**San Miguel**
Issue	Counties exempt from 811 locates when performing routine road maintenance.
Background	Legislation ran last session. Was moving along, then COVID-19 came, and it was postponed.
Proposed Solution	Same language as last session.
Fiscal Impact	
Potential Proponents / Opponents	Only opposition was oil & gas – they claimed that routine grading may hit a pipeline. If a pipeline is buried in a county road or has floated to just under the top surface of a county road, we should have already known about it.

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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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***Risk/ Difficulties**	
****Commissioner Role/Importance**	Commissioners and Road & Bridge staff happy to testify again.
*****CCI Time Commitment**	
County's Priority Ranking	1
Legislator Support/Interest	We anticipate broad support again.
County	**Ouray**
Issue	State law appears to prohibit skiing within a County Road Right of Way. Many county roads are not maintained in the winter and have become widely used cross-county and back-country ski routes. The potential for enforcing the prohibition puts much of the winter outdoor recreation industry at risk.
Background	Many county roads are not used to access residential properties and are instead merely access to historic sites or to public lands. While maintained for rubber-tire vehicles in the summer, many of these roads are not plowed in the winter and are therefore attractive to use as ski routes. This activity has developed to the point where it is commonplace yet remains potentially in conflict with state law.
Proposed Solution	Clarification that enables a county to designate portions of its roadways as wintertime ski access and other over-the-snow access only.
Fiscal Impact	Having the flexibility to designate some roads as winter recreation routes would both enhance the local economy and free up limited road maintenance resources.
Potential Proponents/Opponents	Proponents would include backcountry recreational users, business owners, residents, and all those who are finding it increasingly difficult to afford the increasing costs of access to formalized lifted ski areas. Opponents may include property owners who seek year-round rubber-tire access to their properties via plowed maintenance.
***Risk/Difficulties**	
****Commissioner Role/Importance**	Ouray County spends an increasing amount of time resolving conflicts between different types of winter recreational users and those seeking plowed access. Having the flexibility within state law to designate certain roads as unplowed and acceptable for recreational use would give us one of the tools we would like to help us better manage our roads and limited road and bridge department resources.
*****CCI Time Commitment**	
County's Priority Ranking	2
Legislator	We need to spend additional time discussing this issue with them.

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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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Support/Interest	
County	**Pitkin**
Issue	CDOT has partnered with Adopt a Highway Maintenance Corporation to place advertisements on state highways in return for sponsorships to pay for highway cleanup. This program does not respect local control over non-safety related signage in Counties.
Background	CDOTs Clean Colorado sponsorship program gives businesses an opportunity to advertise on state roads and highways in return for fees that a private firm, Adopt a Highway Maintenance Corporation, uses to pay for periodic cleanings of the highway. Many counties have sign regulations that prohibit advertising on the highway. CDOT's website claims that acknowledgement signs are not intended to be an advertising medium, however, Adopt a Highway Maintenance Corporation says:" Our Sponsor's logo signs are visible 24/7, making tens of thousands of impressions every day. In fact, in many areas Sponsor A Highway signs are the only way to get a company name and logo on the highway. The program is clearly intended as a way to raise revenues for CDOT by offering marketing opportunities that may otherwise be prohibited by local codes. This administrative decision is a clear violation of local control by the elected board of commissioners. Additionally, around the state a vast proportion of the advertising on these signs is by marijuana retailers which undermines local governments attempts to achieve substance abuse awareness and prevention. It is also likely that this violates the legislature's intent to restrict marijuana advertising through this loophole. Additionally, the marijuana advertisements do not discriminate when the host community has opted to prohibit the sale and cultivation of marijuana in their jurisdiction. Outdoor advertising for marijuana businesses is generally prohibited by state law. It's unlawful for any retail marijuana establishment to engage in advertising that is visible to members of the public from any street, sidewalk, park or other public place, including advertising that utilizes any billboard or other outdoor general advertising devices. There only appears to be two exceptions to this law: The first is for signs that are located on the same zone as a retail marijuana establishment and exist solely for the purpose of identifying the location of the retail marijuana establishment. Highway signs every mile for a marijuana business that is not even located in Pitkin County clearly does not meet this exception. We do not understand how CDOT approved and placed signs advertising a marijuana business along a public highway under state law. The second exception is a sponsorship exception: "A Retail Marijuana Establishment may sponsor a charitable, sports, or similar event, but a Marijuana Establishment shall not engage in Advertising at, or in connection with, such an event unless there is reliable evidence that no more than 30 percent of the audience at the event and/or viewing Advertising in connection with the event is reasonably expected to be under the age of 21." We would like to understand what evidence CDOT considered to be in compliance with this exception. Additionally, the signs themselves do not appear to be installed according to CDOT design standards for safety -- specifically they do not appear to be mounted on breakaway posts. CDOT has been unaccommodating in our request to seek relief. This program is in stark contrast to the "Adopt a Highway" program which gives recognition to persons and entities that actually perform a civic service

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CCI 2021 PROPOSED LEGISLATIVE ISSUES
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	in cleaning the roadway and shoulders as opposed to simply paying a fee to CDOT for the sign.
Proposed Solution	Pitkin County would like legislative relief to allow counties with regulations that would prohibit this type of advertising on highways and roadways to opt out of the CDOT program. This should be at the discretion of each county.
Fiscal Impact	Counties that opt out of the program may take on additional responsibility for highway cleanup. CDOT fiscal impact should net out to zero.
Potential Proponents/Opponents	Proponents: Local control advocates/mental health and substance abuse awareness proponents Opponents: CDOT, Adopt a Highway Corporation, Advertisers
***Risk/Difficulties**	
****Commissioner Role/Importance**	Pitkin County commissioners would testify and provide additional information on this issue.
*****CCI Time Commitment**	
County's Priority Ranking	1
Legislator Support/Interest	
County	**Clear Creek**
Issue	OHV usage on county roads
Background	County commissioners may currently designate any county road for recreational OHV use. OHVs registered in Colorado are not considered motor vehicles under statute and are therefore not permitted to travel on county roads and highways UNLESS those roads have been designated by the county commissioners as allowing OHVs. There is some ambiguity, however, as to the rights of OHV owners who register their OHVs *in other states* where OHV travel on any roads is permitted. Enough ambiguity exists where some sheriffs have said they do not feel comfortable issuing a ticket to these riders. As a result, some OHV owners, both Colorado residents <u>and</u> non-residents have been registering vehicles in other states and claiming the right to drive on Colorado state and county roads where prohibited by local and state law, compromising local control.
Proposed Solution	Close the "out of state OHV loophole" by amending Colorado statutes. By Colorado law, if a vehicle meets the definition of an OHV it does not meet the definition of a "motor vehicle" except with respect to vehicular homicide and dui laws). And vice-versa. CRS 33-14.5-101(3) could be amended to eliminate exception (g) stating that OHVs do not include any vehicle registered pursuant to article 3 of Title 42 because, by definition, they do not.

* Risk/Difficulties	**Commissioner Role/Importance	***CCI Time Commitment
1 = low risk to counties/minimal political capital needed, 2 = moderate risk, 3 = high risk/political capital needed to pass	1 = critical to BOCC county operations/budget, 2 = important BOCC county issue, 3= county technical fixes, important issues not directly related to county government	1 = not time intensive and/or CCI not in the lead, 2 = ordinary time commitment 3 = very time intensive and/or county specific issue

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	t may also be necessary to amend article 3 of Title 42 correspondingly, by amending §42-3-17(1) as follows: "A nonresident owner, except as otherwise provided in this section, owning a foreign motor vehicle may operate or permit such vehicle to operate within this state BUT ONLY IN THE SAME MANNER AS IS ALLOWED A SIMILAR VEHICLE REGISTERED IN COLORADO BY A RESIDENT without registering such vehicle or paying fees so long as the vehicle is currently registered in the state, country, or other place of which the owner is a resident, and the motor vehicle displays the number plate or plates issued for such vehicle in the place of residence of such owner."
Fiscal Impact	No impact to the state or counties
Potential Proponents/Opponents	Only opponents that are anticipated would be out-of-state OHV owners, but it is unlikely they would have much of a legislative presence in Colorado. CCI staff has spoken to Jerry Abboud with COVCO and he indicated they might support this legislation.
***Risk/Difficulties**	
****Commissioner Role/Importance**	would be willing to come down and testify and bring my county attorney.
*****CCI Time Commitment**	
County's Priority Ranking	3
Legislator Support/Interest	No conversations yet. Dennis Hisey might consider sponsoring, based on local control aspects. Commissioners have also spoken to KC Becker (and her apparent successor, Judy Amabile).

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